

Bill no.:	<u>Committee Print</u>
H.L.C.	
Amendment no.:	<u>20</u>
Date offered:	<u>3/19/03</u>
Disper:	<u>Agreed to by VV</u>

AMENDMENT
OFFERED BY MR. BOUCHER

Page 279, strike line 3, and all that follows down through line 3 on page 280 and insert the following:

1 “(m) TERMINATION OF MANDATORY PURCHASE AND
2 SALE REQUIREMENTS.—

3 “(1) OBLIGATION TO PURCHASE.—After the
4 date of enactment of this subsection, no electric util-
5 ity shall be required to enter into a new contract or
6 obligation to purchase electric energy from a quali-
7 fying cogeneration facility or a qualifying small
8 power production facility under this section if the
9 Commission finds that

10 “(A) the qualifying cogeneration facility or
11 qualifying small power production facility has
12 access to ~~wholesale~~ independently administered,
13 auction-based day ahead, real time and long-
14 term wholesale markets for the sale of capacity
15 and electric energy; or

16 “(B) the qualifying cogeneration facility or
17 qualifying small power production facility has
18 access to a competitive wholesale market for the
19 sale of electric energy that provides such quali-
20 fying cogeneration facility or qualifying small
21 power production facility with opportunities to



- 1 sell electric energy that, at a minimum, are
- 2 comparable to the opportunities provided by the
- 3 markets described in subparagraph (A).

↑, or some minimum combination thereof,

